

Notice of Allowability	Application No.	Applicant(s)	
	10/615,231	ANGELINI ET AL.	
	Examiner	Art Unit	
	Krishnan S. Menon	1723	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to amendment of 12/13/05.
2. The allowed claim(s) is/are 1,2,4-21 and 24-26 ; RENUMBERED 1-23.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Allowable Subject Matter

Pending Claims 1,2,4-21 and 24-26 are allowed.

The following is an examiner's statement of reasons for indicating allowance:

For claims 17-21 and 24-26, the closest references are Newman (US 4,039,711), Shinjou et al (US 4,795,559, Dijkema et al (US 5,399,422) and Schortmann (US 5,204,165). None of these references teach a non-woven fabric first layer having continuous thermoplastic polymer matrix filaments and thermoplastic polyester co-polymer binder filaments laminated with a second layer formed of discrete length thermoplastic polymer fibers having matrix fibers and lower melting polyester co-polymer binder fibers. Shinjou teaches several different 'discrete length fiber' layers having binder fibers that are lower melting than the matrix fibers, but the continuous fiber layer of Shinjou is melt-blown, which does not have the binder fiber as recited. Dijkema has the binder in the spun-bond layer from core-skin type fibers, and does not teach separate binder fibers, and the skin of the spun fiber is not a polyester copolymer. Schortmann, even though teaches different types of polyester fibers, teach binder as a latex material, which is not a thermoplastic fiber or filament. Newman teaches a non-woven fabric laminate having the spun-bonded layer and the discrete length fiber layer, both layers having lower melting polyester fibers/filaments, but the lower melting fiber/filament is not a co-polymer of polyester as required in the claims 17, 19 and 21, and Newman does not teach one of the outer surface as being that of the spun-bonded as required in all the claims, because Newman laminates the carded layer on both sides of the spun-bonded for obtaining the tensile strength requirement. There is no

suggestion in any of these references for one of ordinary skill in the art to combine any of these references together to arrive at the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krishnan S. Menon whose telephone number is 571-272-1143. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda L. Walker can be reached on 571-272-1151. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Krishnan S. Menon
Patent Examiner
1/7/06


W. L. WALKER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700